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*Attorneys for Defendant and
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ACRES 4.0,

Plaintiff and
Counterclaim
Defendant,

v.

IGT,

Defendant and
Counterclaim
Plaintiff,

v.

Acres Manufacturing Company, John F. Acres,

Counterclaim
Defendants.

Case No.: 2:21-cv-01962-GMN-BNW

**UNOPPOSED MOTION FOR LEAVE
TO FILE SUPPLEMENT TO
AMENDED ANSWER, AFFIRMATIVE
DEFENSES, AND COUNTERCLAIMS**

Defendant/Counterclaim Plaintiff, IGT, by and through its counsel, hereby respectfully submits this Motion for Leave to File Supplement to Amended Answer, Affirmative Defenses, and Counterclaims (ECF No. 40) (the “Motion”). The Motion is made in accordance with LR IA 6-2 and LR 7-2(g) of the Local Rules of the District of Nevada. Plaintiff/Counterclaim Defendants, Acres 4.0, Acres Manufacturing Company, and John F. Acres (collectively, “Acres”) have agreed to not oppose the Motion.

MEMORANDUM OF POINTS AND AUTHORITIES

“A party may not file supplemental pleadings, briefs, authorities, or evidence without leave of court granted for good cause. The judge may strike supplemental filings made without leave of court.” LR 7-2(g); *accord Steward v. CMRE Financial Services, Inc.*, 2:15-cv-00408-JAD-NJK, 2017 WL 4390102, at *4 (D. Nev. Sept. 28, 2017) (striking supplement because plaintiff did first obtain leave of court).

IGT’s Amended Answer, Affirmative Defenses, and Counterclaims (ECF No. 40) (“IGT’s Amended Answer”) responds to Plaintiff’s Complaint (ECF No. 7) and asserts multiple affirmative defenses and four counterclaims of infringement. Throughout IGT’s Amended Answer, IGT cites to and links video/digital hyperlinks. However, it recently came to the attention of IGT and Acres that one of the hyperlinks, ECF No. 40-45, is no longer active. In order to correct the inactive hyperlink and maintain the record, IGT seeks to supplement the record with a supplemental pleading and accompanying exhibits. IGT proposes that for its video/digital exhibits (*i.e.*, ECF No. 40-37, -38A, -38B, -38C, -38D, -39, -40, -41, -43, -45, -48, -49, and -51), IGT will submit a file-stamped placeholder document along with a CD-ROM of the video/digital files to the clerk’s office and file a Notice of Manual Filing to indicate that IGT made a physical submission inclusive of the CD-ROM.

Based on the above, IGT seeks leave of the Court to supplement IGT’s Amended Answer. A proposed supplement is attached here as **Exhibit A**. There is good cause to permit the filing of the proposed supplement. First, the proposed supplement is a duplicate of the original pleading and contains identical exhibits, which include certain video/digital exhibits that the supplement seeks to provide in alternative CD-ROM format. Second, the primary purpose of the proposed

supplement is to provide the Court with the full record and not cause undue burden to the Court by requiring it to find any inactive hyperlinked video/digital file exhibits. Lastly, IGT made a good faith attempt to preserve the record by raising this issue with the Court as soon as it became aware of the inactive video/digital files. Accordingly, IGT submits that good cause exists to grant this Motion.

Dated: May 17th, 2022

/s/ Anthony J. DiRaimondo

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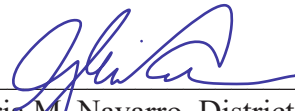
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IT IS SO ORDERED.

Dated this 18 day of May, 2022.



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

INDEX OF EXHIBITS

Exhibit No.	Title
A	IGT's Amended Answer, Affirmative Defenses, and Counterclaims to Plaintiff Acres 4.0's Complaint, with exhibits